

### **REMARKS**

Applicant notes that a further related patent has issued with respect to the subject matter of the invention namely; U.S. Patent 6,460,668. To the extent a further Terminal Disclaimer is required Applicant will submit such Disclaimer.

With respect to the claims, single independent Claim 1 has been amended to incorporate certain features of Claim 5 and to more particularly point out and distinctly claim the subject matter of the invention. The carrying case of the invention includes a fabric sleeve which encloses a rigid, L shaped board member. A telescoping handle is attached to the inside of the board member. An L shaped forming bracket is positioned on the outside of the board member and affixed to the board member on the first lateral side and the bottom side.

The Examiner rejected the claim as obvious in view of a combination of numerous references including *Van Himbeeck et al.*, Patent No. 5,566,797 taken with *Lin et al.*, Patent No. 6,305,514 in view of *Stube*, Patent No. 5,498,101. The claims were also rejected in view of the same combination of references and further including *Lathouwer*, Patent No. 6,702,164. A principal feature of the prior art relied upon by the Examiner was allegedly set forth in *Lin et al.*, Patent No. 6,305,514. The Examiner referred to an outer bracket which is believed to be the item 44 in the drawings of the *Lin* patent. This bracket is, however, a separate kick plate (see Col. 4, lines 24-26 and Fig. 3), and it does not teach in the patent that it comprises an L shaped member which is attached to the bottom and the side of the inner L shaped board as set forth in amended Claim 1. Further, the external wheel housings 42 of *Lin* are not taught as being attached to any inner L shaped board member. Therefore, it is believed that the combination set forth in the claims is not taught by the prior art either in a single reference or in a combination of references. That is, the prior art references are missing features set forth in the subject matter which has been claimed.

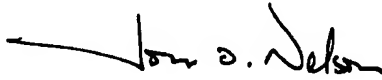
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Reply to Office Action of October 7, 2004

It is noted that the claims have been amended to more particularly point out this feature of the L shaped forming bracket on the outside of the board member affixed to the board member on the first lateral side of the board member and the bottom side. Clearly, the *Lin* reference does not teach this feature alone or in combination.

In view of the foregoing, therefore, it is believed that the claims in their amended form are allowable. Reconsideration thereof and passage to allowance is earnestly solicited.

Respectfully submitted,

BANNER & WTICOFF, LTD.

A handwritten signature in black ink, appearing to read "Jon O. Nelson". The signature is written in a cursive, flowing style with a long horizontal stroke at the beginning.

Jon O. Nelson  
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